

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------------|---|-------------------|
| DARCEY SHIMITZ and CHAD |) | CASE NO. 8:01CV27 |
| SCHROEDER, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| TYSON FRESH MEATS, INC., |) | |
| |) | |
| Defendant. |) | |

This matter is before the Court following the March 28, 2008, filing of the Affidavit of Chad Schroeder at the Court's request (Filing No. 477).

The Court deems the Affidavit sufficient to satisfy the requirements set out by the Court (Filing Nos. 473 and 476). Based on the Affidavit of Chad Schroeder, the Court finds that he has made clear his intention to proceed as a plaintiff in his individual capacity in this matter.

IT IS ORDERED:

1. Plaintiff Chad Schroeder's claims have been preserved by the filing of the Affidavit of Chad Schroeder (Filing No. 477).
2. This matter shall proceed in accordance with the Trial Order (Filing 478).

DATED this 18th day of April, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge